

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Nathaniel Salley and Joseph Salley, as) C/A No. 2:10-cv-00791-DCN
Personal Representatives of the Estate)
of Annie Salley,)

Plaintiffs,)

**AFFIDAVIT OF KATHRYN
S. HOOPS**

Versus)

Heartland-Charleston of Hanahan, SC,)
LLC, d/b/a Heartland Healthcare Center)
– Charleston; HCR Manorcure, Inc.;)
Manor Care, Inc.; Manor Care of)
America, Inc.; HCR Manorcure Medical)
Services of Florida, LLC; The Carlyle)
Group,)

Defendants.)

I, Kathryn S. Hoops, being of lawful age and duly sworn on oath, state and
depose as follows:

1. My name is Kathryn S. Hoops and I am an adult over the age of 18.
2. I make this declaration based on my personal knowledge, review of
corporate records and interviews with appropriately knowledgeable persons.
3. I am the Vice President and Director of Tax, Internal Audit and Risk
Management for HCR ManorCare, Inc. (hereinafter “HCR ManorCare”).
4. As Vice President and Director of Tax, Internal Audit and Risk
Management for HCR ManorCare, I have personal knowledge about the
organization and the business operations Heartland-Charleston of Hanahan, SC,
LLC, d/b/a Heartland Healthcare Center – Charleston; HCR Manorcure, Inc.;
Manor Care, Inc.; Manor Care of America, Inc.; HCR ManorCare Medical Services
of Florida, LLC and the relationships of these companies with The Carlyle Group
(hereinafter “Carlyle”).

5. Upon information and belief, Carlyle is a Corporation organized and existing under the laws of Delaware and has its principal place of business in Washington, D.C.

6. Upon information and belief, Carlyle is a trade name for an entity which manages the privately held shares of HCR ManorCare, Inc.

7. Carlyle is not part of the organizational structure of Defendants Heartland-Charleston of Hanahan SC, LLC, d/b/a Heartland Healthcare Center – Charleston; HCR Manorcare, Inc.; Manor Care, Inc.; Manor Care of America, Inc.; HCR ManorCare Medical Services of Florida, LLC.

8. Carlyle has no responsibilities regarding the day to day operations at Heartland Healthcare Center - Charleston located at 1800 Eagle Landing Blvd. Charleston, SC 29410.

9. Carlyle has no responsibilities regarding the day to day operations of any of the affiliated entities of HCR ManorCare, Inc. which are licensed in South Carolina or anywhere in the United States.

10. Carlyle does not prescribe the policies or procedures for Heartland Healthcare Center - Charleston or any of the affiliated entities of HCR ManorCare, Inc. which are licensed in South Carolina or anywhere in the United States.

11. Upon information and belief, no representative of Carlyle has ever visited Heartland Healthcare Center - Charleston.

12. Carlyle is neither the principal nor the agent of any of the other Defendants named in this action.


13. Carlyle has no control over any of the other Defendants named in this action.

14. Carlyle did not participate in the treatment of Annie Salley.

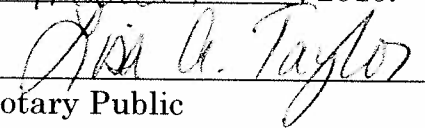
15. Carlyle did not have any decision making authority over the treatment of Annie Salley.

16. That if called to testify to the truthfulness of the foregoing, I could competently and truthfully do so.

FURTHER, Affiant sayeth not.


Kathryn S. Hoops

Sworn and subscribed to before me, a Notary Public, this 2nd day of March, 2010.


Notary Public

My commission expires: 1/26/15



LISA A. TAYLOR
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 01-26-2015